

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **JOSE MIGUEL CARDONA ALONZO**  
SSN xxx-xx-3786

CASE NO: **18-06028-MCF**

Debtor(s)

**Chapter 13**

**TRUSTEE'S OBJECTION TO PROPOSED POST CONFIRMATION PLAN MODIFICATION UNDER SECTION 1329**

\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO\***

Total Agreed: **\$3,000.00**      Paid Pre-Petition: **\$630.00**      Outstanding (Through the Plan): **\$0.00**

\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1329

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months    ☐ Above Median Income 60 months §1325(b)(1)(B)  
Projected Disposable Income: **\$0.00**

**Liquidation Value:\$488.00    Estimated Priority Debt: \$204.66**

**If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$283.34**

With respect to the Proposed "PCM": Dated **10/14/20 (Dkt 21)**      **Plan Base: \$26440.00**

**The Trustee:**    ☐ **DOES NOT OBJECT**    ☒ **OBJECTS**    Plan Confirmation    Gen. Uns. Approx. Dist.:**7.61%**

**The Trustee objects to confirmation for the following reasons:**

- Debtor has failed to submit post-petition tax returns for evaluation.

As per section 3.2 of the plan debtor must provide copy of post petition tax returns local and 10404 PR for year 2018-2019. In the event a refund was receive the same should have been used to fund the plan.

[1325(a)(5)] Plan fails to comply with required treatment of allowed Secured Claims.

- 1325 (a)(5)(A): Secured creditor(s) provided for in the plan has/have NOT ACCEPTED the same.

As of this date creditor of CSMC 2019-RPL4 TRUST has not accepted ter terms of the proposed PCM nor file a claim to include such post petition arrears.

Pending A Final Hearing for Motion for Relief From Stay Under 362 , scheduled for January 19, 2021, at 1:30 PM

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Debtor must submit evidence of his November Mortgage payment

**NOTICE**

**14 day notice:** Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.  
**CHAPTER 13 TRUSTEE**  
PO Box 9023884, San Juan PR 00902-3884  
Tel. (787)977-3535 Fax (787)977-3550

Date: October 27, 2020

/s/ Juliell Perez, Esq.

Last Docket Verified: 28    Last Claim Verified: 8 (7-2)    CMC: AM